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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/802,505	03/16/2004	Sherif Safwat	2195CON2	3671

7590 06/25/2004

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EXAMINER

ARK, DARREN W

ART UNIT	PAPER NUMBER
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3643

DATE MAILED: 06/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/802,505

Applicant(s)

SAFWAT ET AL.

Examiner

Darren W. Ark

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-39 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_ is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☒ Claim(s) 1-39 are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☒ Certified copies of the priority documents have been received in Application No. 10/012,799.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## **DETAILED ACTION**

### ***Election/Restrictions***

1. This application contains claims directed to more than one species of the generic invention. These species are deemed to lack unity of invention because they are not so linked as to form a single general inventive concept under PCT Rule 13.1.

The species are as follows:

Species I - Figs. 1-4; Species II - Fig. 5; Species III - Fig. 6; Species IV - Fig. 7; Species V - Figs. 8-11; Species VI - Fig. 12; Species VII - Fig. 13; Species VIII - Fig. 14; Species IX - Fig. 15; Species X - Fig. 16; Species XI - Fig. 17; Species XII - Fig. 18; Species XIII - Fig. 19; Species XIV - Figs. 20 & 21; Species XV - Fig. 20a; Species XVI - Fig. 20b; Species XVII - Fig. 22; and Species XVIII - Fig. 23; Species XIX - Fig. 23a; Species XX - Fig. 23b; Species XXI - Fig. 23c; Species XXII - Fig. 23d; Species XXIII - Fig. 23e; Species XXIV - Figs. 24a, b; Species XXV - Fig. 25; Species XXVI - Figs. 26a & 27a; Species XXVII - Figs. 26b & 27b; Species XXVIII - Fig. 28a; Species XXIX - Fig. 28b; Species XXX - Fig. 28c; and Species XXXI - Fig. 29.

Applicant is required, in reply to this action, to elect a single species to which the claims shall be restricted if no generic claim is finally held to be allowable. The reply must also identify the claims readable on the elected species, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered non-responsive unless accompanied by an election.

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Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

2. The claims are deemed to correspond to the species listed above in the following manner:

Claim 1 - Species I-XXXI;  
Claim 2 - Species I-IV, XXXI;  
Claim 3 - Species V-XXX;  
Claim 4 - Species I-IV, VIII, X, XXIV, XXXI;  
Claim 5 - Species VIII-X, XXX;  
Claim 6 - Species I-IV, XXXI;  
Claim 7 - Species I-IV;  
Claim 8 - Species VI, VIII, XV, XVI;  
Claim 9 - Species VI;  
Claim 10 - Species VIII;  
Claim 11 - Species VIII, X;  
Claim 12 - Species V, VI;  
Claim 13 - Species XI-XIII;  
Claim 14 - Species XIX-XXI;  
Claim 15 - Species XXVI, XXVII;  
Claims 16-19 - Species I-IV, XXXI;  
Claims 20-23 - Species I-IV;  
Claims 24-26 - Species V-XXX;  
Claims 27-30 - Species V-XXX;  
Claim 31 - Species I-XXXI;  
Claim 32 - Species I-VII, XI, XII, XIII;  
Claims 33-34 - Species V-VII;  
Claims 36 & 37 - Species XIV, XV, XVI;  
Claims 38 & 39 - Species XVII, XVIII.

The following claim(s) are generic: claims 1 and 31.

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3. The species listed above do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, the species lack the same or corresponding special technical features for the following reasons: a few examples of these special technical features which lack commonality are as follows; Species I-IV and XXXI comprise product strand(s) whereas Species V-XXX comprise strap(s); Species V requires a strap having a hexagonal cross sectional shape whereas Species XI requires a strap having a triangular cross sectional shape; and Species XXXI requires the product strand 36 be included among strands 397 of a braided sheath 398 that encircles the product strand 37 not required in Species I-XXX.

4. Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

5. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Darren W. Ark whose telephone number is (703) 305-3733. The examiner can normally be reached on M-Th, 8:00am-6:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter M. Poon can be reached on (703) 308-2574. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Darren W. Ark  
Primary Examiner  
Art Unit 3643

DWA